



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number: 10/662594
Appl. Filed: 9/15/2003
Applicants: Arnold
Appl. Title: Use of 4-androstene-3, 6, 17 trione...
Examiner:

PETITION TO MAKE SPECIAL

Assistant Commissioner of Patents

Washington, D.C. 20231

Applicant hereby respectfully petitions that the above application be made special under MPEP Section 708.02 for the following reason; attached is a declaration in support thereof:

<u>I.</u> Manufacturer Available	<u>VI.</u> Energy Savings Will Result
<u>II.</u> Infringement Exists	<u>VII.</u> Recombinant DNA is Involved
<u>III.</u> Applicant's Health is Poor	<u>VIII.</u> Special Procedure: Search was made
<u>IV.</u> Applicant's Age is 65 or Greater	<u>IX.</u> Superconductivity is Advanced
<u>V.</u> Environmental Quality will be Enhanced	

Attached is an Affidavit in support of the petition.

Very respectfully submitted,

Michael Berns 38,379

02/04/2004 RHEBRAHT 000000081 10662594
130.00 UP
01 FC:1460



UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Applicant: Arnold

Application: Use of 4 androstene-3, 6, 17 trione...

Serial No. 10/662594

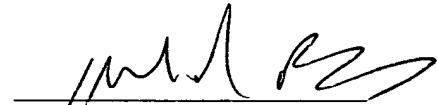
VERIFIED STATEMENT

Pursuant to 37 CFR 1.102, and MPEP 708.02, applicant petitions to make the application special based on actual infringement, manufacturer available, and search made. In support of the accompanying Petition to Make Special, applicant declares as follows:

1. I am the attorney for the inventor, Patrick Arnold, and the assignee, Provant Technologies, Inc.
2. I am the attorney of record for subject application.
3. I have caused to be made a careful and thorough search of the prior art and have a good knowledge of the pertinent prior art.
6. I believe that all of the claims of the application are allowable.
7. Provant Technologies, Inc. has sufficient presently available capital to market and produce the product.
8. Provant Technologies, Inc. has sufficient facilities to produce larger quantities of the product.
9. Provant Technologies, Inc. can make available sufficient capital and facilities to increase production if a patent is granted.
10. Provant Technologies, Inc. will not increase present manufacture unless certain that the patent will be granted and infringers can be stopped.
11. Provant Technologies, Inc. has obligated itself to manufacture the product to protect the investment of capital and facilities.
15. I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issuing therefrom.

The undersigned, being hereby warned that wilful false statements and the like so made are punishable by fine or imprisonment, or both, and that such wilful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she believes the applicant to be the owner of the invention sought to be patented, and that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

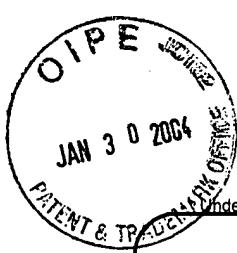
Respectfully submitted,



Michael Berns
Attorney for Proviant Technologies, Inc.

Dated:

Maloney, Parkinson & Berns
Michael Berns
135 West Main Street
Urbana, IL 61801
217-367-9000
Fax 217-384-4206



PTO/SB/21-08-03

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

		Application Number	10/662594
		Filing Date	9/15/2003
		First Named Inventor	Arnold
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	4	Attorney Docket Number	LPJ6OXO

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		Remarks
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael Berns
Signature	
Date	01/24/2004

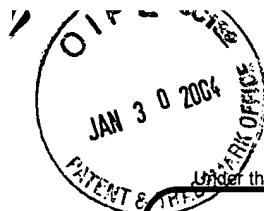
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Michael Berns
Signature	
Date	01/24/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130)

Complete if Known

Application Number	10/662594
Filing Date	9/15/2003
First Named Inventor	Arnold
Examiner Name	
Art Unit	
Attorney Docket No.	LPJ6OXO

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None

 Deposit Account:

Deposit Account Number:

Deposit Account Name:

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee			
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	<input type="text"/> X <input type="text"/> = <input type="text"/>	
			- 3** =	<input type="text"/> X <input type="text"/> = <input type="text"/>	
				<input type="text"/> = <input type="text"/>	

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Michael Berns	Registration No. (Attorney/Agent)	38379	Telephone	217-367-9000
Signature				Date	1/24/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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